

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
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**FILED**

**JUN 22 2004**

**INDIANA UTILITY  
REGULATORY COMMISSION  
CAUSE NO. 42645**

**IN THE MATTER OF THE COMPLAINT  
OF RUTH WELLMAN V. SPRINT**

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**BY THE COMMISSION:**

**Lorraine Hitz-Bradley, Administrative Law Judge**

You are hereby notified that on this date, the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On December 22, 2003, Complainant Ruth Wellman ("Complainant") contacted the Consumer Affairs Division of the Indiana Utility Regulatory Commission ("Commission") regarding services through telecommunications carrier Sprint ("Sprint"). In her complaint, Complainant alleged that Sprint failed to transfer her long-distance service to SBC, as she had requested, and had charged her for calls even though the call had not been connected. At the time Complainant called the Commission, Sprint had disconnected her service.

On the same day, Commission staff contacted Sprint regarding the complaint. Sprint ultimately credited Complainant \$5.62 for calls that were listed as one minute on her bill, despite records showing that the calls had been completed. Sprint also stated that Complainant requested that her service be transferred to "SBI," for which Sprint had no carrier code. Thus, the requested transfer could not be completed. Commission staff determined that Sprint had made a reasonable effort to respond to Complainant's complaint, and closed the complaint accordingly.

Complainant requested a review of the decision pursuant to Commission rules, and this Cause was docketed May 13, 2004. Pursuant to 170 I.A.C. 1-1.1-5(c), an informal disposition of a consumer complaint may be appealed by written request filed with the Commission within twenty (20) days after the informal decision is rendered. Before issuing an order on such an appeal, the Commission shall afford the parties notice and an opportunity to be heard. *Id.*

Pursuant to notice duly published and as provided for by law, a prehearing conference and preliminary hearing was held in Room E306 of the Indiana Government

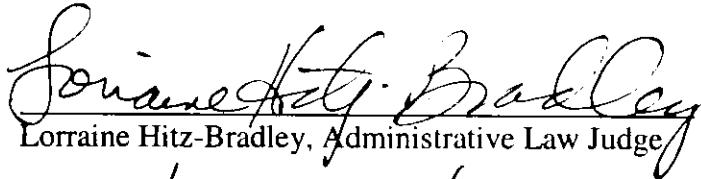
Center South, Indianapolis, Indiana, at 9:30 a.m., EST, on June 14, 2004. The Office of Utility Consumer Counselor ("OUCC") and Sprint appeared. The Complainant did not appear. At the close of the hearing, Sprint and the OUCC were advised that the Complainant would be given thirty (30) days within which to submit evidence regarding the decision reached by the Commission's Consumer Affairs Division.

On June 17, 2004, the Complainant contacted the Presiding Officer by phone to inform her that she was unaware of the June 14 hearing, as she was moving her residence and had not received the notice. She requested that the matter be set for hearing in approximately six (6) weeks. She also requested that the Commission provide her with all documents regarding her case.

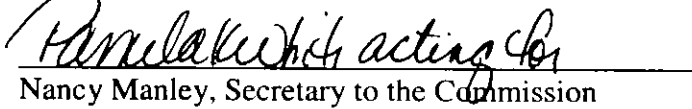
The Presiding Officer, having reviewed the record and being duly advised in the premises, hereby holds as follows:

The matter shall be heard on Friday, July 23, 2004, at 10:00 a.m., in Room E306 of the Commission. Copies of all documentation regarding the Consumer Affairs' Division's decision have been or will be provided to Complainant, Sprint, and the OUCC. The hearing on July 23<sup>rd</sup> is limited to the issue of a review of the Consumer Affairs' Division's decision.

**IT IS SO ORDERED.**

  
Lorraine Hitz-Bradley, Administrative Law Judge

Date: June 22, 2004

  
Nancy Manley, Secretary to the Commission